

## HOUSE OF REPRESENTATIVES—Monday, September 18, 2000

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mrs. BIGGERT).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

September 18, 2000.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,

*Speaker of the House of Representatives.*

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Cheek, one of its clerks, announced that the Senate has passed without amendments concurrent resolutions of the House of the following titles:

H. Con. Res. 319. Concurrent resolution congratulating the Republic of Latvia on the 10th anniversary of the reestablishment of its independence from the rule of the former Soviet Union.

H. Con. Res. 371. Concurrent resolution supporting the goals and ideas of National Alcohol and Drug Recovery Month.

The message also announced that the Senate has passed a bill and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 1608. An act to provide stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for the benefit of public schools and roads and to enhance the health, diversity and productivity of Federal lands.

S. Con. Res. 130. Concurrent resolution establishing a special task force to recommend an appropriate recognition for the slave laborers who worked on the construction of the United States Capitol.

### MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

### CAMPAIGN FINANCE REFORM

Mr. STEARNS. Madam Speaker, I rise today to speak on campaign finance reform.

This is a topic that this Chamber is quite familiar with, and a topic which seeks to prohibit the abuse of soft money campaign donations to national political parties. Though the current campaign finance system is in need of reform, the proposal the House passed, the Shays-Meehan bill, did not improve or strengthen our campaign finance system.

The road towards campaign finance reform has been a long one with many constitutional roadblocks. The Supreme Court took a dim view of our efforts to curtail first amendment rights. Through such rulings of *Buckley v. Valeo* in 1976, and other cases, the court has declared that the government may not regulate political commentaries "to promote a candidate and his views." The court made an exception for ads that use explicit language to "advocate the election or defeat of a clearly identifiable candidate."

The Congress recently took a step in the right direction reforming campaign finance flaws by ending the secret fund-raising and spending by political groups under Section 527 of the Internal Revenue Code. Section 527 groups receive a large degree of anonymity under the law so long as their television ads, opinion polling and other political activities do not recommend the election or defeat of a specific candidate. This new law requires them to identify themselves to the public, then file periodic reports with the IRS that identify contributors and disclose how they spend their money in the political arena.

About a year ago, the House passed its own campaign finance reform, the Shays-Meehan bill. It was aimed at reforming abuses in modern day campaign fund-raising. Though I believe campaign finance reform is needed, the Shays-Meehan bill was not the right approach. It has been over 20 years since we last overhauled our campaign finance laws, but I believe many of the bill's provisions would have been ruled unconstitutional before the U.S. Supreme Court.

I could not support proposals placing restrictions on issue ads, thereby effectively regulating campaign expenditures by individuals, interest groups and organizations loosely allied to the parties. That legislation attempts to alter the constitutional distinction between express advocacy and issue advo-

cacy by mere statutory definitions. The goal of this bill was to expand the category of speech that can be regulated by the Federal Government, thereby making speech no longer free.

Under current law, all individuals, political parties, businesses and other organizations are free to refer to candidates and their records on issues without regulation by the Federal Government. But under the Shays-Meehan bill, the mere reference to a candidate's name on radio or television during election campaigns would transform issue advocacy into regulated express advocacy.

Additionally, the legislation bans soft money for political parties. The Shays-Meehan bill would regulate, limit or even prohibit individuals, organizations, and corporations from receiving or spending soft money for national political parties or political committees. The attempt to limit the free rights of political parties would clearly be unconstitutional, and the courts of course, most likely would strike down these restrictions.

Since the 1976 *Buckley v. Valeo* decision, strong majorities have supported protections for the expenditures of money for political communications. I do not believe government restrictions on issue ads can be reconciled with the first amendment. No matter how they are dressed up, such restrictions will still involve government regulation of political speech, which we do not want.

Furthermore, such a concept of campaign finance reform is both counterproductive and, as I mentioned earlier, unconstitutional. Moreover, the bill's relative impact on the two major parties is decidedly out of balance, in my opinion. That is why I voted for the bipartisan Hutchinson-Allen substitute, which unfortunately failed on the House floor.

This bill is simple in its path towards strengthening our system and increasing public trust in the elected Federal officials. Congress would implement full disclosure laws, treat soft money and hard money the same, and make all campaign reports filed with the Federal Election Commission available to the public electronically through the Internet and through other electronic sources within 48 hours after those reports are filed. That is what the Hutchinson-Allen substitute would do. That is the proposal I supported.

I also believe that strong bipartisan support exists for an array of the reforms that could pass if Shays-Meehan were set aside. These include technological improvements in disclosure,

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.